

REMARKS/ARGUMENTS

Claims 1-24 are pending in this Application.

Claims 1-5, 10-12, and 14-20 are currently amended. New claims 25-27 have been added. Applicants submit that support for the claim amendments and the newly added claims can be found throughout the specification and the drawings.

Claims 1-27 are now pending in the Application after entry of this Amendment. No new matter has been entered.

In the Office Action, claims 1-24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Nonpatent Literature entitled "SmarTeam FDA Compliance Technical Paper Functional Compliance With FDA Rule 21 CFR Part 11," hereinafter "SmarTeam."

Claim Rejections Under 35 U.S.C. § 102(b)

Applicants respectfully traverse the rejections to claims 1-24 and request reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(b) based on SmarTeam.

Applicants respectfully note that to anticipate a pending claim, a prior art reference must provide, either expressly or inherently, each and every limitation of the pending claim. (M.P.E.P. § 2131).

The Office Action alleges that SmarTeam teaches or suggests all of the claim limitations of claims 1-24. However, based on the arguments presented below, Applicants respectfully submit that SmarTeam fails to teach or suggest one or more of the claim limitations recited in each of claims 1-24.

Claim 1

Amended claim 1 recites a method of intercepting a transaction instantiated by a database application to determine if an electronic signature is necessary to commit the transaction to the database, the method comprising:

in response to a triggering action generated by the database application, calling an application program interface to raise an event indicative of a signature collection process;

initiating a workflow process defined by the event that initiates the transaction instantiated by the database application with the database without committing the initiated transaction to the database;

executing a rule specified by the workflow process to determine if an electronic signature is required to approve the transaction; and

if execution of the rule results in a determination that an electronic signature is required for the initiated transaction to be committed to the database, instantiating the signature collection process.

Applicants respectfully submit that SmarTeam fails to teach or suggest each and every claim limitation recited in amended claim 1.

In the Office Action, it is alleged that an application program interface is inherent in the software of SmarTeam. Applicants respectfully disagree. Merely because the software interacts with other components to receive input or provide output does not necessarily convey to one ordinarily skilled in the art that the SmarTeam inherently discloses an application program interface as recited in claim 1.

Applicants further respectfully submit that SmarTeam fails to teach or suggest that calling an application program interface raises an event indicative of a signature collection process as recited in amended claim 1. Merely that a signature process is alleged to occur in SmarTeam fails to disclose that an API is called to raise an event indicative of a signature collection process as recited in amended claim 1. Furthermore, the Office Action fails to identify in the reference the triggering event generated by the database application recited in claim 1

SmartTeam further fails to teach or suggest the features of “initiating a workflow process defined by the event that initiates the transaction instantiated by the database application with the database without committing the initiated transaction to the database” and “if execution of the rule results in a determination that an electronic signature is required for the initiated transaction to be committed to the database, instantiating the signature collection process” as recited in amended claim 1.

Thus, Applicants respectfully submit that SmarTeam fails to teach or suggest each and every claim limitation of amended claim 1. Therefore, Applicants submit that claim 1 is allowable over the cited references.

Claim 2

Amended claim 2 recites wherein calling the application program interface comprises calling the application program interface based on an event name and an event id. The Office Action alleges that calling in application program interface is inherent in the operation of SmarTeam. However, SmarTeam fails to provide any teaching or suggest calling the API base on an event name and event id as recited in amended claim 2.

In relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art. Ex parte Levy, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990).

The Office Action fails to provide any such offering that the allegedly inherent API of SmarTeam can be called by an event name and event id as recited in claim 1. The Office Action further fails to provide any such offering that such inherency necessarily flows from the teaching of SmarTeam.

Claim 5

Amended claim 5 recites wherein the workflow process generates an electronic record that captures data associated with the initiated transaction prior to the initiated transaction being committed to the database. The Office Action merely points to sec. 2.2 of SmarTeam. However, SmarTeam fails to teach or suggest that the electronic record is generated from data captures from the initiated transaction prior to the initiated transaction being committed to the database as recited in claim 5.

Claims 2-27

Applicants respectfully submit that independent claims 11, 20, and 25 are allowable for at least a similar rationale as discussed above for the allowability of claim 1, and others. Applicants respectfully submit that dependent claims 2-10, 12-19, 21-24, and 26-27 that depend directly and/or indirectly from the independent claims 1, 11, 20, and 25 respectively, are also allowable for at least a similar rationale as discussed above for the allowability of the independent claims. Applicants further respectfully submit that the dependent claims recite additional features that make the dependent claims allowable for additional reasons, some of which have been discussed above.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

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